(2) Subject to the rules made in this behalf, the following provisions shall apply with respect to the making of contract for any of the purposes of this Act, namely :—

(a) every contractc shall be made by or on behalf of the corporation by the commissioner ;

(b) no contract for any performance which in accordance with the provisions of this Act the commssioner may not carry out without the sanction of one or other municipal authorities or of the Government shall be made by hm unless such sanction has been given.

(c) any contract involvng any expenditure exceeding such limits as may be specified in the rules shall be made by the commissioner unless the requirement regarding the procedure to be followed has been followed, and unless the authority which is competent to accord sanction has accorded such sancton and where the sanction to be accorded is by the Government unless such sanction has been accorded by the Government.

(3) These provisions shall apply to any variation of the contract involving an increase of such percentage over the expendture involved n the original contract as may be prescribed.

(4) Subject to such rules as may be made in this behalf every contract to be entered into by the commissioner on behalf of the corporation shall be entered into in such manner and form as would bind him if it were made on his own behalf and may in like manner and form be varied or discharged :

Provided that—

(a) the common seal of the corporation shall be affixed to every contract, which , if made between private persons, wolud requre to be under seal ; and

(b) every contract for the execution of any work or the supply of any materials or goods which will involve an expenditure exceedings one thousand rupees shall be in

writing and shall be sealed with the common seal of the corporation and shall specify,—

(i) the work to be done or the materials or goods be supplied, as the case may be ;

(ii) the price to be paid for such work, materials or goods, and

(iii) in the case of a contract for work, the time within which the work or specified portions thereof shall be completed.

(5) The common seal of the corporation shall remain in the custody of the commissioner and shall not be affixed to any contract or other instrument except in the presence of the commissioner and the commissioner shall sign the contract or instrument in token that the same was sealed in his presence.

(6) No contract executed otherwise than as provided in this section shall be binding on the corporation.

192. Invitation of tenders.—(1) At least seven days before entering into any contract or the execution of any work or the supply of any materials or goods which will involve an expenditure exceeding five thousand rupees, the commisisoner shall give notice by advertisement inviting tenders for such contract :

Provided that the standing committee may at the instance of the commissioner and for reasons which shall be recorded in its proceedings, authorise the commissioner to enter into a contract without inviting tenders.

(2) On receipt of the tenders made in pursuance of the notice given under sub-section (1), the commissioner may, subject to the provisions of section 191, accept any tender which appears to him, upon a view of all the circumstances, to be the most advantageous, but he shall not reject all the tenders without the sanction of the standing commitee.

193. Saving of certain irregularities.—When work is given on contract at unit rates and the number of units is not precisely determinable, the contract shall not be deemed to contravene the provisions of section 191 or section 192 merely by reason of the fact that the pecuniary limits therein laid down therein are eventually exceeded.

194. Security for performance of contracts.—The commissioner shall take sufficient security for the due performance of every contract into which he enters after a tender has been accepted, and may take security for the due performance of any other contract into which he enters.

CHAPTER XIII

Water Supply and Sewerage

195. Application of Chapter.—This chapter shall not apply to any city for which separate water supply and sewerage arrangements are made by or under any law for the time being in force.

196. Construction of works.—(1) The corporation may with the sanction of Government construct, lay or erect filteration plants, reservoirs, machinery, conduits, pipes or other works for supplying water to the city and may provied tanks, reservoirs, machinery mains, fountains and other conveniences within the city for the use of the inhabitants.

(2) The corporation may cause existing water works to be maintained and supplied with water or it may close any such works and substitute other such works and may cause them to be maintained and supplied with water.

197. Tresspass on water supply premises.—No person shall except with permission duly obtained from the commissioner enter on land vested in the corporation along